IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE K.C. BHANU
WRIT PETITION NO : 9759 of 2004

Between:
O.Jwala Narasimha Reddy, S/o Subba Reddy,
3/150, Vempalli Road, Yerraguntla, Cuddapah District.
..... PETITIONER

AND

1 The Regional Transport Officer, Regional Transport Office, Cuddapah, Cuddapah District.
2 The Motor Vehicle Inspector, Regional Transport Officer, Cuddapah, Cuddapah District.
.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in seizure of the Vehicle Lorry bearing No.PY-01R-6599 vide Check Report dated 02-06-2004 as arbitrary, illegal, highhanded and contrary to the procedure contemplated under the provisions of the Motor Vehicles Act, 1988 and the rules made there under apart from violative of the fundamental rights guaranteed to the petitioner under Articles 14,19 (1) (g) and 21 of the Constitution of India and consequently direct the respondent to release the Vehicle Lorry bearing No.PY-01R-6599

For the Petitioner:MR.V.R.REDDY KOVVURI

For the Respondent No.: GP FOR TRANSPORT

The Court Made the Following :

ORDER:

This writ petition is filed to release the vehicle bearing No.PY-01R-6599, which was seized under Check Report dated 02.06.2004.

There is appropriate authority for release of the vehicle who has to pass appropriate orders within a reasonable time from the date of filing of the application. Admittedly, the petitioner had not filed any such application before the authority concerned for grant of interim custody of the vehicle.

Hence, the writ petition is disposed of directing the writ petitioner to approach the first respondent-Regional Transport Officer by filing an appropriate application for grant of interim custody. In the circumstances, no costs.

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

Copy to:

1 The Regional Transport Officer, Regional Transport Office, Cuddapah, Cuddapah District.

2 The Motor Vehicle Inspector, Regional Transport Officer, Cuddapah, Cuddapah District.

3 2 C.Cs to GP FOR TRANSPORT, High Court of A.P. Bldgs., Hyd (OUT)

4 2 C.D. copies.